

COMBINED DECLARATION AND POWER OF ATTORNEY

As the below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled PLANTS AND THEIR PREPARATION, the specification of which

(check one) ☐ is attached hereto.

☒ was filed on June 19, 1998
as Application Serial No. 09/100,516
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Day/Month/Year Filed)

☐ ☐
Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Applic. Serial No.)	(Filing Date)	(Status) (patented/pending/abandoned)
(Applic. Serial No.)	(Filing Date)	(Status) (patented/pending/abandoned)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Kent A. Herink

Reg. No. 31,025

Send correspondence and direct all telephone calls to:

Kent A. Herink
DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.
The Financial Center
666 Walnut Street, Suite 2500
Des Moines, Iowa 50309-3993

(515) 288-2500 (phone)
(515) 243-0654 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Larry V. Kaster, Jr.

Inventor's signature Larry V. Kaster

Date 9-9-98

Residence: Ames, Iowa

Citizenship: U.S.A.

Post Office Address: 245 Todd Circle, Ames, Iowa 50014

Full name of second inventor: Tzao Fen Huang

Inventor's signature Tzao Fen Huang

Date 9-8-98

Residence: Ames, Iowa

Citizenship: U.S.A.

Post Office Address: 2109 Coneflower Court, Ames, Iowa 50014

Full name of third inventor: James J. Reysack

Inventor's signature James J. Reysack

Date 9-8-98

Residence: Ankeny, Iowa

Citizenship: U.S.A.

Post Office Address: 818 S.E. Cortina Drive, Ankeny, Iowa 50021

Full name of fourth inventor: Alan F. Hawkins

Inventor's signature Alan F. Hawkins

Date _____

Residence: Ankeny, Iowa

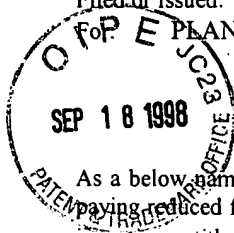
Citizenship: United Kingdom

Post Office Address: 10345 N.W. 16th Street, Ankeny, Iowa 50021

Applicant or Patentee: Larry Kaster Jr., Tzao Huang, James Reysack and Alan Hawkins Attorney's Docket No.
3038240/58470

Serial or Patent No.: 09/100,516

Filed or Issued: June 19, 1998



PLANTS AND THEIR PREPARATION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **PLANTS AND THEIR PREPARATION** described in

- ☐ the specification filed herewith
☒ application serial no. 09/100,516, filed June 19, 1998
☐ patent no. , issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME: Garst Seed Company
ADDRESS: 2369 330th Street, Box 500, Slater, Iowa 50244
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:
ADDRESS:
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:
ADDRESS:
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Larry V. Kaster, Jr.
Name Of Inventor

Signature of Inventor

8-24-98

Date

Tzao Fen Huang
Name Of Inventor

Signature of Inventor

8/24/98

Date

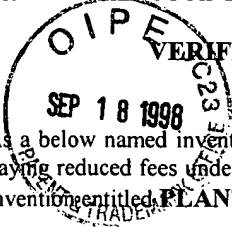
James J. Reysack
Name Of Inventor

Signature of Inventor

8/24/98

Date

Applicant or Patentee: Larry Kaster Jr., Tzao Huang, James Reysack and Alan Hawkins Attorney's Docket No.
3038240/58470
Serial or Patent No.: 09/100,516
Filed or Issued: June 19, 1998
For: PLANTS AND THEIR PREPARATION



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR)**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **PLANTS AND THEIR PREPARATION** described in

- ☐ the specification filed herewith
☒ application serial no. 09/100,516, filed June 19, 1998
☐ patent no. , issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME: Garst Seed Company
ADDRESS: 2369 330th Street, Box 500, Slater, Iowa 50244
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:
ADDRESS:
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME:
ADDRESS:
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Alan F. Hawkins
Name Of Inventor

Name Of Inventor

Name Of Inventor

Alan F. Hawkins
Signature of Inventor
9/24/98
Date

Signature of Inventor

Date

Signature of Inventor

Date